

No Child Left Behind Act (NCLB) Overview

The passage of the No Child Left Behind Act of 2001 (NCLB) was a strong bipartisan effort reauthorizing the Elementary and Secondary Education Act (ESEA) affecting education from kindergarten through high school. The new law presents sweeping efforts to improve public education, including setting goals for improvement and holding stakeholders accountable for student achievement. This document highlights NCLB's accountability details to aid schools and districts with local implementation. It is important to note that this law is distinct in that NCLB:

- **Reflects four key principles¹:**
 - Stronger system-wide accountability for results;
 - Greater flexibility for states, districts, and schools in the use of federal funds;
 - Increased choices for parents/legal guardians of children from disadvantaged backgrounds; and
 - Specific emphasis on teaching methods that have demonstrated results.
- **Establishes a greater federal role in education.** NCLB establishes an unprecedented expansion of the federal role in K-12 education by requiring local districts and schools to bring all students to a proficient level of achievement by school year 2013-2014.
- **Differs from previous 1994 ESEA Reauthorization in that NCLB²:**
 - Requires Title I schools *and* all other public schools to assess students using the same tests based on state content standards;
 - Mandates that ALL students, including those with disabilities, must demonstrate proficiency on state tests; and
 - Does not allow states to apply for waivers from federal requirements.

ACCOUNTABILITY REQUIREMENTS

In exchange for flexibility in using federal funds, **states must develop single accountability systems** that are rooted in rigorous academic standards and aligned to state assessments. States must also define key terms (e.g., proficient) and set baseline and benchmark achievement levels.

However, **the onus is on local districts and schools to implement** the assessment, adequate yearly progress (AYP), and data collection and reporting provisions established by NCLB. Local compliance and student performance dictate rewards and sanctions for districts and schools.

Local implementation issues can arise when considering factors, such as: local demographics; district/school population or staffing flux; subgroup performance; and substandard data systems.

ASSESSMENT	
<p>Provisions or Requirements³</p> <p>At least 95 percent of all students, including those in pre-defined subgroups must be assessed. Data must be disaggregated by:</p> <ul style="list-style-type: none"> • Gender • Major racial or ethnic group • English proficiency status • Migrant status • Students with disabilities • Socioeconomic status <p>By 2005-2006, all third through eighth grade students must be tested annually against state content standards in reading/language arts and mathematics for each grade level; secondary school students must be tested at least once during high school.</p> <p>By 2007-2008, science assessments must be administered at least once in elementary, middle, and high school.</p> <p>Limited English Proficient (LEP) students must be assessed in English unless they meet one of the following conditions, in which case they will be provided an alternative assessment:</p> <ul style="list-style-type: none"> • The student has not attended school in the United States for three consecutive years, or • The Local Education Agency (LEA) determines that a student who has received three years of schooling in the United States is not yet proficient (accommodation can continue for up to two additional years). <p>Disabled students may take state-developed alternative assessments or receive accommodations as specified by their Individual Education Plan (IEP) teams.</p> <p>States are required to select a representative sample of students to participate in biannual National Assessment of Educational Progress (NAEP) assessments in fourth and eighth grades in reading and mathematics. If selected, districts and schools must participate in the NAEP testing.</p>	<p>Considerations</p> <p>States must provide assessment results to districts, schools, and teachers.</p> <p>Migrant and mobile students must be assessed even if they are not included for annual yearly progress (AYP) purposes.</p> <p>Local assessments may be used in addition to state tests if they meet state-defined criteria that include, but are not limited to:</p> <ul style="list-style-type: none"> • Alignment to state standards; • Comparability to state tests in terms of content, difficulty, and quality; and • Validity and reliability with respect to student subgroups.

ADEQUATE YEARLY PROGRESS (AYP)	
<p>Provisions or Requirements</p> <p>States must set annual performance goals for all students and student subgroups such that 100 percent of students will be proficient in the state's academic standards by school year 2013-2014.</p> <p>States must:</p> <ul style="list-style-type: none"> • Establish a baseline from which AYP will be calculated starting with the 2001-2002 school year; • Define proficiency levels (in Arizona, <i>Excelling, Highly Performing</i>, etc.); • Determine the minimum number of students required in a school to ensure a statistically valid measure (size of 'N'; in Arizona the minimum is 30 students); and • Set the annual AYP benchmarks or annual measurable objectives that districts and schools must meet for all students to be proficient by school year 2013-2014. <p>All districts and schools must meet annual measurable objectives for all students and for each subgroup.</p> <p>Safe Harbor Provision (if the size of the student population or subgroup is not statistically significant): Schools and districts can make AYP if the percentage of students not proficient decreases by 10 percent from the previous year and if the district or school meets one additional requirement (as determined by the state).</p> <p>Sanctions apply to Title I districts and schools unable to meet AYP for two or more consecutive years and grow increasingly more prescriptive the longer the district/school is unable to meet annual benchmarks. These include: school labels; public school choice and supplemental service options for students in underperforming schools; and school restructuring reforms.</p>	<p>Considerations</p> <p>States must set intermediate goals in addition to annual measurable objectives.</p> <p>LEAs must pay for transportation of students exercising their public school choice options using up to five percent of their Title I funds, unless a lesser amount is needed. LEAs may decide to use an additional 10 percent of Title I funds for transportation. If demand exceeds available funds, LEAs will establish funding priorities.</p> <p>LEAs must pay for supplemental services with five percent of their Title I funds, unless a lesser amount is needed. If needed, an additional 10 percent of Title I funds must be used for school choice, supplemental services, or both.</p>

DATA COLLECTION & REPORTING	
<p>Provisions or Requirements</p> <p>Beginning with the 2002-2003 school year, states, districts, and schools are required to make annual report cards available. These report cards should include data on:</p> <ul style="list-style-type: none"> • Student achievement for all students and for subgroups of students; • Graduation rates for secondary schools; • One additional indicator for elementary schools (in Arizona, Measure of Academic Progress [MAP] and Extended Writing Sample [EWS] data); • AYP status for each school; and • Professional qualifications of teachers. <p>Report cards must compare high- and low-poverty schools with respect to percent of classes taught by highly qualified teachers and other measures.</p> <p>LEAs must produce school performance profiles for each Title I school with disaggregated results.⁴</p> <p>LEAs must provide individual student reports on student performance to parents and teachers.</p>	<p>Considerations</p> <p>Schools whose subgroup size does not meet the state-determined minimum (size of 'N'; 30 students in Arizona) will not have these scores included in AYP calculations. However, school leaders may want to monitor progress of these subgroups.</p> <p>Individual teacher and student identifier may be useful in tracking and reporting required information.</p> <p>State, district, and school data system capacity may not currently allow for the collection of NCLB data.</p>

¹ U.S. Department of Education. (2002). *No Child Left Behind: A desktop reference*. Washington, DC: Author.

² The Center for Education Reform. (2002). *The new ESEA: A primer for policy makers*. Washington, DC: Author.

³ U.S. Department of Education. (2003, March 10). *Standards and assessments: Non-regulatory draft guidance*. Washington, DC: Author.

⁴ National Conference of State Legislatures. (n.d.). *No Child Left Behind: Accountability and AYP*. Retrieved July 9, 2003, from <http://www.nsba.org/site/view.asp?DID=8586&CID=355>.